S.B. Cr. Bail Application No. 4701/2007
(Kukaram Vs. State of Rajasthan)

Date of order : 20.09.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Parwat Singh Rathore for the petitioner.
Mr. Ashok Upadhyay, P.P.

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned.

It appears from the order impugned that 200 kg of poppy straw was alleged to have been recovered. The petitioner remained absconding and a challan has been filed under Section 299 Cr.P.C.

Keeping in view the quantity of contraband poppy straw recovered which is commercial quantity and the fact that the petitioner remained absconding, in my view, it is not a fit case to release the petitioner on bail as the conditions enumerated in Section 37 of the N.D.P.S. have not been fulfilled. The bail application filed by the petitioner under Section 439 Cr.P.C. is therefore, dismissed. The trial court is directed to expedite the trial of the case.

(H.R.PANWAR), J.

rp